

Remarks

Claims 1-34 stand pending in this application. No amendments or addition of claims are made herein.

However, to comply with the restriction requirement and in accordance with the election herein, claims 29 and 30 are cancelled as being directed to the non-elected invention as defined by the Examiner.

Accordingly, upon entry of this election requirement, claims 1-28 and 31-34 remain pending in this application.

Restriction Election:

The claims in this application are subject to restriction into one of the following two groups:

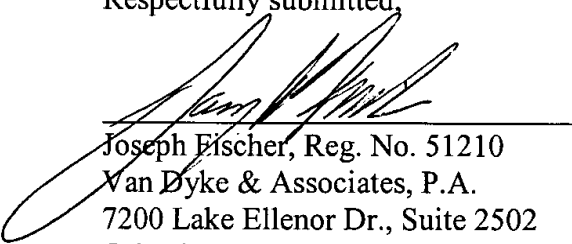
- I. Claims 1-28 and 31-34, drawn to a method for making an infectious adenovirus, a recombinant adenovirus vector system and a cell, classified in class 435, subclass 91.4, 320.1 and 325.
- II. Claims 29 and 30, drawn to a method of vaccination or administering gene therapy, classified in class 424, subclass 93.2 and class 514, subclass 44.

In response to the outstanding restriction requirement, election of Group I (claims 1-28 and 31-34) is hereby made without traverse, for examination on the merits. In accordance with this election, claims 29 and 30 are cancelled.

However, it is believed that the Examiner cited an MPEP section, 806.05(h), that does not most clearly pertain to the claims of the application. It is believed that the proper MPEP section for the claims of the application is MPEP 806.05(i). Thus, it appears that the basis for restriction is incorrect. Accordingly, Applicants reserve the right to pursue claims of the non-elected group upon indication of an allowable linking claim, and/or upon amendment of such cancelled claims to conform to the invention being examined in this application.

In closing, Applicants assert that claims 1-28 and 31-34 are in a condition for allowance, and such action is respectfully requested. Applicants invite the Examiner to call the undersigned if clarification is needed on any aspect of this response after its consideration and either before or after entrance of the instructions and/or amendments presented herein.

Respectfully submitted,



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